

# ILLINOIS CIVIL SERVICE COMMISSION

REPORT  
FOR FISCAL YEAR  
2003



George Richards, Chairman  
John M. Dorgan, Commissioner  
Raymond W. Ewell, Commissioner  
Betty Bukraba, Commissioner  
Barbara J. Peterson, Commissioner

Daniel Stralka  
Executive Director



**Daniel Stralka**  
**EXECUTIVE DIRECTOR**

**State of Illinois**  
**CIVIL SERVICE COMMISSION**  
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**George E. Richards**  
**CHAIRMAN**

**COMMISSIONERS**  
**John M. Dorgan**  
**Raymond W. Ewell**  
**Barbara J. Peterson**  
**Betty Bukraba**

Governor Rod Blagojevich  
State of Illinois  
Springfield, Illinois 62706

Dear Governor Blagojevich:

We submit this report to you, to the members of the General Assembly, and to the citizens of Illinois. It is the Commission's 91st Annual Report and covers the period of July 1, 2002 through June 30, 2003. In this report we have set forth both our responsibilities and accomplishments.

We appreciate the support and encouragement you have given us as we endeavor to carry out the requirements of the Illinois Personnel Code with the goal of providing the citizens of Illinois with a system of personnel administration based on merit principles and scientific method.

Respectfully submitted,

George E. Richards, Chairman

John M. Dorgan, Commissioner

Betty Bukraba, Commissioner

Raymond W. Ewell, Commissioner

Barbara J. Peterson, Commissioner

## **TABLE OF CONTENTS**

Members of the Commission.....	4
Prelude .....	7
Duties of the Commission.....	8
Review of Personnel Rules and Legislation .....	9
Class Specifications .....	9
Exemptions of Principal Policy Positions .....	10
Rule Violation and Compliance Activity.....	14
Appeals of Discharge, Suspension and Demotion.....	16
Appeals of Geographical Transfer and Allocation .....	17
Appeals of Layoff .....	17
Grievance Committee .....	17
Training .....	18
Other Duties .....	18
Court Review .....	18
Technical Actions by the Commission .....	19
Decisions of the Commission .....	20
Appendix .....	21

## **MEMBERS OF THE ILLINOIS CIVIL SERVICE COMMISSION**

The members of the Civil Service Commission are appointed for a period of six years.

<u>Name</u>	<u>Term Expires</u>
George E. Richards, DVM, Chairman	March 1, 2007
John M. Dorgan, Commissioner	March 1, 2005
Raymond W. Ewell, Commissioner	March 1, 2005
Barbara J. Peterson, Commissioner	March 1, 2005
Betty Bukraba, Commissioner*	March 1, 2009

\*Dan P. Fabrizio served as Commissioner through October 3, 2003. Betty Bukraba was appointed to fill this unexpired term effective October 6, 2003.

### **George E. Richards, DVM**

Dr. Richards received his Bachelor's and Doctor's degrees from the University of Illinois College of Veterinary Medicine. He practices Small Animal Medicine and Surgery in Danville, where he is an owner of three veterinary hospitals. He serves as Chairman of Danville Area Community College Foundation, Director and Past President of Vermillion Advantage Economic Development Corporation, Secretary and Executive Committee member of Old National Bank-Danville. He is Chairperson and Treasurer of the Illinois Veterinary Medical Political Action Committee and serves on the Illinois State Veterinary Medical Association Board of Directors as Delegate to the American Veterinary Medical Association and as Chairperson of the Legislative Committee. He is involved in numerous community activities in Danville.

### **Betty Bukraba**

Betty Bukraba was appointed a Commissioner effective October 6, 2003. She recently retired from the office of the Clerk of the Circuit Court of Cook County, having served as the Director of Personnel Services for the previous 14 years. As Director, she had responsibilities for all aspects of employee relations in the 2300 employee agency from applicant testing to retirement planning. While serving in this capacity, she was a recipient of the Cook County Distinguished Public Service award in 1999. She is the widow of a Chicago firefighter and raised their two children while operating a small business. Betty remains active in numerous neighborhood and civic organizations and causes.

### **John M. Dorgan**

John M. “Jack” Dorgan, who was born in Chicago, Illinois on September 21, 1959, earned a Bachelor of Arts degree in political science in 1981 from Loyola University of Chicago. From 1980 to 1987 he was a legislative aide to State Representative Roger P. McAuliffe. Mr. Dorgan then served from 1987 to 1991 as assistant director of governmental services/personnel in the Office of Governor. At the age of 31 he was the youngest member of Governor Edgar’s cabinet and the youngest administrator of a state liquor control commission in the country, when he was appointed Executive Director of the Illinois Liquor Control Commission. From 1995 to 1997 he served as Deputy Chief of Staff in the Office of the Speaker, Illinois House of Representatives. Mr. Dorgan presently is a partner in the consulting firm of Dorgan/McPike and Associates.

### **Raymond W. Ewell**

Raymond W. Ewell was born on December 29, 1928 in Chicago, Illinois. He earned a Bachelor of Arts degree at the University of Illinois (1949), a Master’s degree from the University of Illinois (1951), and a Juris Doctor degree from the University of Chicago (1954). He was a State Representative in the Illinois General Assembly for eight terms from 1967 to 1983, where he served as chairman of the Higher Education Committee, the Illinois Legislative Black Caucus, and the National Society of State Legislators (1969). He served in the United States Army from 1954 to 1955.

In addition to being an attorney at law for 46 years, Mr. Ewell has been a teacher in the Chicago public schools, a gas station operator, a partner in a brokerage firm, bond counsel for the Cook County Board of Commissioners (1992), and a lobbyist for the City of Chicago, the Chicago Teacher’s Pension Fund, the Illinois Trial Lawyers Association, and Cook County. While in the legislature he served as minority spokesman on the Elections, Agriculture, Conservation, Registration and Regulation, and Executive Committees. He also served on the committees for County and Township, Higher Education, Primary and Secondary Education, Judiciary, Public Utilities, Human Resources, and Motor Vehicles.

Mr. Ewell served as senior advisor to United States Senator Carol Moseley Braun and to John H. Stroger, President of the Cook County Board. He is a member of the Fourth Ward Young Democrats, an independent precinct captain for the Seventeenth Ward, a Seventeenth Ward Regular Democratic organization supervisor and instructor, and campaign manager for State Representative Charles Morrow, III. He is president of the Perry Avenue Block Club, a member of the N.A.A.C.P., the Cook County Bar Association, the Southtown Y.M.C.A., the Urban League, P.U.S.H., Southtown Y.M.C.A. Businessmen’s Association, and Director of St. Carthage Grooming School for Boys.

### **Barbara J. Peterson**

Barbara J. “Bobbie” Peterson is in her first term as a Commissioner on the Illinois Civil Service Commission, a position to which she was appointed by Governor George Ryan.

Previously tapped by Governor Jim Edgar, she sat on the Governors State University Board of Trustees. There she chaired the Personnel Committee, which oversees collective bargaining contracts, faculty and civil service salaries and employee benefits. She also represented GSU on the State University Civil Service System and was the university’s founding member trustee for the Monsignor Ignatius D. McDermott Endowed Scholarship.

Commissioner Peterson serves as the secretary of the Will/Kankakee Regional Development Authority. She also serves as secretary of the Will County Planning and Zoning Commission and has a leadership role in regional planning. Currently, that Commission is participating in the development of a comprehensive general plan for the six-county northeastern Illinois region.

A longtime community activist and volunteer, Commissioner Peterson is in her fourth term as the elected state central committeeman of the 11th Congressional District. She is also involved in numerous special political projects and public relations activities.

Bobbie Peterson is a longtime resident of Will County. With her husband Charles, Bobbie spent 35 years as owner of a union-shop mechanical piping company and is still engaged in agriculture. Born and educated in Chicago, she is a graduate of Gregg Business College. The Petersons have four sons and seven grandchildren.

## **PRELUDE**

The concept of Civil Service in Illinois State Government is not, nor should it be, static, obstructionistic, or unresponsive. In an era of accelerating social and technological change coupled with significant downward budgetary pressures, government must function efficiently and economically to respond to newly created needs and circumstances. Because of the ever-changing needs of state government as determined by the executive and legislative branches, the Civil Service Commission must demonstrate flexibility to allow government to meet its obligations to the citizens. This report will deal with the activities of the Civil Service Commission that took place in Fiscal Year 2003.

The objective of all agencies of the executive branch of government must be to provide the services desired by the citizens, as expressed by the Governor and the legislature, in the most effective and efficient manner possible. The Personnel Code exists to provide operating agencies with a system of personnel management that provides for the appointment, development and maintenance of the best workforce possible. This goal transcends the mechanics of the position classification, recruitment, selection, staff development, promotional programs, and other technical personnel operations which provide the means to reach the desired end.

A successful personnel system must also develop the attitudes, incentives, policies, and philosophies necessary to the development of an effective and dedicated work force while providing solutions to the problems that inevitably occur in the management of human capital. To accomplish this goal, the Personnel Code creates a partnership between the Department of Central Management Services, the operating agencies, and the Civil Service Commission to serve the agencies and employees of the state and, ultimately, to the benefit of its citizens.

## **DUTIES OF THE COMMISSION**

Guided by merit philosophy, the members of the Commission and its staff carry out the following statutory responsibilities:

1. The Commission has the authority to disapprove personnel rules or their amendments promulgated and submitted by the Director of Central Management Services.
2. To approve the classification plan submitted by the Director of Central Management Services, and approve proposals for new or amended class specifications and for the abolition of existing classes under the classification plan.
3. Upon recommendation of the Director of Central Management Services, the Commission approves the exemption from Jurisdiction B of those positions which, in its judgment, bear principal administrative responsibility for the determination or implementation of policy.
4. Upon identification of instances of noncompliance, the Commission is responsible for ensuring the enforcement of the Personnel Code and Rules through the issuance of directives for compliance. In ensuring compliance with the Personnel Code and Rules, the Commission is authorized to conduct an audit program of personnel activities, actions, and programs.
5. For certified employees who are discharged, suspended for more than 30 days in a twelve-month period, or demoted, the Commission hears and determines the written charges and renders decisions which are binding upon the employing agency.
6. The Commission hears appeals by certified employees who are involuntarily transferred from one geographical area to another, or who question the allocation of their position under the classification plan.
7. The Commission hears or conducts an investigation of layoff appeals by certified employees where the basis of the appeal is that provisions of the Personnel Code or Rules have been violated.

During Fiscal Year 2003 the Commission was active in these areas as the following detailed report indicates.



## **(1) REVIEW OF PERSONNEL RULES AND LEGISLATION**

The drafters of the Personnel Code envisioned broad enabling statutes giving the Director of Central Management Services extensive discretion to implement the broad provisions of the Code through the promulgation of rules. As a check and balance to this power, the Director is to submit proposed rules and/or amendments to the Commission, and the Commission has the authority to disapprove them.

To ensure the Personnel Rules promulgated by the Department of Central Management Services accurately implement the authority outlined in the Personnel Code, and to assure the Code continues to adhere to the principles of merit employment, the Civil Service Commission monitors legislative action for changes to the Personnel Code.

## **(2) CLASS SPECIFICATIONS**

A sound system of position classification is essential to carrying out the objectives of a merit personnel system. The classification plan establishes the basis for ensuring that employees performing work of the same nature, level of difficulty and complexity are paid within the same salary range, dependent on length of service and excellence of performance. The specifications further set forth the legal requirements for selection of those who desire to enter State service and the promotion of present employees who seek advancement within the career system. So that the personnel decisions can be based upon the factual basis of existing assignments, the position classification system identifies the duties performed and responsibilities assigned by individual employees. The Commission has the responsibility of approving all amendments to the classification plan, including the class specifications.

During Fiscal Year 2003 the Commission reviewed and acted on 152 amendments to the classification plan. Because of their cooperative working relationship, the staffs of the Commission and the Department of Central Management Services resolved all problems identified in the amendments submitted. Consequently, all issues which could have resulted in a recommendation for the Commission's disapproval were resolved.

New Classes <u>Approved</u>	Revised Classes <u>Approved</u>	Abolished Classes <u>Approved</u>
12	127	13

### **(3) EXEMPTIONS OF POSITIONS BEARING PRINCIPAL ADMINISTRATIVE RESPONSIBILITY FOR POLICY**

A long-standing significant issue in merit systems is the determination of those positions which should be subject to appointment and dismissal at the discretion of the administration. In the Personnel Code, the legislature specifically provided for most major exemptions, such as those of all positions in the legislative and judicial branches, of directors and assistant directors of executive agencies, and of members of boards and commissions. In positions below the director, assistant director, board or commission level, the legislature chose to grant the Director of Central Management Services and the Civil Service Commission joint authority to exempt positions from the Personnel Code. Under this provision, agencies request and the Director of Central Management Services issues a recommendation as to whether positions that bear principal administrative responsibility for the determination of policy or principal responsibility for the implementation of policy should be exempted. This recommendation is then submitted to the Civil Service Commission for approval. The impact upon the merit system of decisions made with respect to the exemption of positions from the provisions of the Personnel Code is obvious.

In carrying out this function, the Commission not only acts to approve exemptions recommended by the Director, but monitors all positions which have been approved for exemption to ensure that they are used as presented at the time of approval. Amendments to these positions are evaluated to ensure that only positions that continue to qualify for exemption remain exempt. The Commission granted exemption to 95 positions and rescinded the exemptions of 13 positions in Fiscal Year 2003. Set forth on the following page is a listing of the number of exemptions for each agency. A breakdown of the Commission's actions for Fiscal Year 2003 follows on the succeeding pages.

## REPORT ON EXEMPT POSITIONS

<u>Agency</u>	Total Exempt <u>Employees</u>	Number of <u>Positions</u>
Aging .....	107	6
Agriculture.....	660	12
Arts Council.....	20	1
Banks and Real Estate.....	267	2
Central Management Services .....	1,189	29
Children and Family Services.....	3,487	30
Commerce & Econ. Opportunity.....	475	43
Corrections.....	14,084	101
Deaf and Hard of Hearing Comm.....	8	1
Developmental Disabilities Council .....	14	1
Elections Board.....	50	1
Emergency Management Agency.....	113	1
Employment Security.....	1,875	15
Environmental Protect. Agency.....	1,142	5
Financial Institutions.....	86	4
Guardianship and Advocacy .....	117	6
Historic Preservation Agency .....	266	2
Human Rights Commission.....	10	2
Human Rights Department .....	138	6
Human Services .....	15,627	49
Industrial Commission .....	152	8
Insurance .....	334	6
Investment Board.....	4	1
Labor.....	84	7
Labor Relations Board Educational.....	22	2
Labor Relations Board State.....	24	2
Law Enforce. Trng. & Standard Bd.....	25	1
Medical District Commission .....	5	1
Natural Resources.....	1,770	26
Pollution Control Board .....	28	3
Professional Regulation .....	261	8
Property Tax Appeal Board.....	39	2
Public Aid .....	2,351	15
Public Health.....	1,134	17
Revenue.....	2,304	41
State Fire Marshal.....	126	4
State Police .....	1,541	5
State Police Merit Board.....	5	1
State Retirement System .....	78	1
Veterans Affairs .....	1,127	3
<b>TOTALS.....</b>	<b>51,149</b>	<b>471</b>

## **EXEMPTIONS ACTED UPON DURING FY 2003**

<b>Aging</b>	SPSA (4/17) granted
<b>Agriculture</b>	AAII (11/21) exemption rescinded SPSA (3/20) granted SPSA (4/17) granted SPSA (6/19) granted (2 positions)
<b>Banks &amp; Real Estate</b>	SPSA (11/21) exemption rescinded (3 positions)
<b>Central Management Systems</b>	SPSA (8/22) exemption rescinded SPSA (4/17) granted (8 positions) SPSA (5/15) granted (9 positions) SPSA (6/19) granted (5 positions)
<b>Children &amp; Family Services</b>	SPSA (5/15) granted
<b>Commerce &amp; Economic Opportunity</b>	SPSA (11/21) exemption rescinded (2 positions) SPSA (4/17) granted (3 positions) PSA (5/15) granted (2 positions) SPSA (5/15) granted (17 positions) SPSA (6/19) granted (2 positions)
<b>Corrections</b>	SPSA (8/22) granted (2 positions) PSA (3/20) granted SPSA (4/18) granted SPSA (6/19) granted
<b>Employment Security</b>	SPSA (6/19) granted (5 positions)
<b>Environmental Protection Agency</b>	SPSA (5/15) granted
<b>Financial Institutions</b>	SPSA (11/21) exemption rescinded
<b>Human Rights Department</b>	SPSA (11/21) exemption rescinded SPSA (6/19) granted (2 positions)
<b>Human Services</b>	SPSA (3/20) granted SPSA (6/19) granted (9 positions)
<b>Illinois Emergency Management Agency</b>	SPSA (4/18) granted
<b>Insurance</b>	SPSA (4/18) granted AAII (5/15) granted
<b>Liquor Control Commission</b>	SPSA (12/19) exemption rescinded
<b>Military Affairs</b>	SPSA (6/19) granted

<b>Natural Resources</b>	SPSA (4/17) granted PSA (5/15) granted SPSA (5/15) granted PSA (6/19) granted
<b>Professional Regulation</b>	PSA (10/17) granted (2 positions) PSA (11/21) granted SPSA (12/19) exemption rescinded
<b>Public Aid</b>	SPSA (9/19) exemption rescinded SPSA (4/17) granted
<b>Public Health</b>	SPSA (5/15) granted SPSA (6/19) granted
<b>Revenue</b>	SPSA (11/21) exemption rescinded SPSA (4/18) granted SPSA (5/15) granted AAI (6/19) granted
<b>State Fire Marshal</b>	PSA (3/20) granted
<b>State Police</b>	SPSA (1/16) granted
<b>Veterans' Affairs</b>	SPSA (6/19) granted

#### **(4) RULE VIOLATION AND COMPLIANCE ACTIVITY**

A merit system can only be as effective as the people who administer it will permit. Recognizing that pressures exist to circumvent the merit system and to provide a bulwark against the erosion of merit system standards, the legislature placed in the Civil Service Commission the responsibility for determining whether personnel activities are carried out in compliance with the Personnel Code and Personnel Rules along with the authority to direct compliance where it finds violations. In carrying out this mandate, the Commission has utilized two basic approaches.

First, it investigates all allegations of noncompliance furnished to the Commission or brought to the attention of its staff to determine whether there was a violation of the statute and/or its implementing rules. There were 5 appeals of Personnel Code and/or Rule violations in Fiscal Year 2003. Where the Commission finds a possible violation, it works with the Department of Central Management Services and the agencies involved to effect compliance. Where compliance is not an issue, the Commission assists employees with complaints by referring them to other resources available to them.

Second, the Commission staff conducts reviews and audits of personnel activities as carried out by the Department of Central Management Services and the operating agencies. The Commission has long interpreted its legislative grant of authority as requiring the Commission to take the initiative in determining compliance and not simply to investigate those matters reported to it. It has long been the practice of the Commission to audit compliance activities with the resources remaining after it completes its other statutory responsibilities, including hearing employee allocation and discharge appeals, investigating layoff appeals, and reviewing proposals made by the Director of Central Management Services for amendments in the Classification Plan or for exemption of policy-making positions.

The audit program examines several areas of agency personnel operations, including:

- Assignment of positions to classes (including position descriptions).
- Payment of employees at rates authorized in the Pay Plan, as approved by the Department of Central Management Services.
- Administration of exempt appointments as approved by the Commission in accordance with Section 4d(3) of the Personnel Code.
- Employment and separation procedures, including the use of eligible lists and the certification of employees.

- Evaluation of personnel administration programs, including affirmative action, veterans' preference, and disabled employment and advancement opportunities.
- Review of personal service contracts in relation to providing staff through appointments under the Personnel Code.

Additionally, the audit explores areas of innovation or approaches in personnel programs which can be shared with other operating agencies for the benefit of all involved in the state personnel function.

During Fiscal Year 2003 the following audit was approved by the Commission.

Agency

Commission Approval

Department of Public Aid

September, 2002

The effects of the early retirement incentive and reduced Commission resources in the last half of Fiscal Year 2003 hindered its capability to continue the agency audit program.

The Personnel Code also provides for appointments to State service in accordance with the principle of merit and fitness which is determined by the use of examination methods in areas of education, experience, cultural knowledge, capacity, knowledge, manual skill, linguistic ability, character, physical fitness, and psychological fitness. There are occasions, however, where examinations are not feasible and in order to provide flexibility the Code provides for three types of appointments which can be made without formal competitive examination. These are emergency, temporary, and provisional appointments, all of which are limited by the Code.

Emergency appointments may not exceed 60 days, may be made without regard to eligible lists, and may not be renewed. Temporary appointments apply to positions temporary or seasonal in nature. They may be taken from eligible lists if practicable but may not be made for more than six months out of any twelve-month period.

Provisional appointments are made when no appropriate eligible list is available. No position may be filled by provisional appointment for more than six months out of any twelve-month period.

The following are the numbers of consecutive non-merit appointments reported to the Commission in the monthly agendas. The agendas provide the number by agency and individual.

July	-	75*	January	-	72
August	-	76	February	-	64
September	-	70	March	-	54
October	-	63	April	-	47
November	-	58	May	-	23
December	-	56	June	-	45

The incumbents have been appointed ~~ment~~ to temporary appointments for more than six months in a twelve-month period or have received a number of non-merit appointments. Although these appointments are not in violation of the Personnel Code and Rules, they are reported for the information of the members of the Commission for purposes of monitoring. The agency with the largest number of appointments is Department of Natural Resources.

\*The numbers do not necessarily stand for new appointments, but can be the same appointment from the previous month.

#### **(5) APPEALS FROM DISCHARGE, SUSPENSION OVER 30 DAYS IN A TWELVE-MONTH PERIOD, AND DEMOTION**

The Civil Service Commission is responsible for conducting hearings on appeals of discharge and suspensions totaling more than 30 days in any twelve-month period, and geographical transfers. The Commission has the power to administer oaths, subpoena witnesses, and compel the production of books and papers in accordance therewith.

When an employee receives a written notice of discharge, they may appeal the action to the Commission. The Commission must receive the request for a hearing within 15 days after service of the written notice of discharge. The Commission then schedules a hearing within 30 days after receiving the appeal. At the hearing, the employee has a right to counsel and may question the witnesses who testify against him under oath. The burden of proof is upon the agency to prove that cause for discharge of the employee exists.

In Fiscal Year 2003 the Commission rendered decisions in 14 discharge appeals. The Commission sustained 5 discharges. In 6 appeals the Commission imposed a suspension instead of discharge, and in 3 appeals the employee was returned to work with no penalty. There were no appeals of suspensions over thirty days in a twelve month period.

The Commission is also responsible for hearing appeals of employees who have been demoted in their positions. Although this is not an extremely active area, it is important



that employees have a right to appeal if they believe they have been unjustly demoted in their position. The Commission did not decide any demotion appeals during Fiscal Year 2003.

#### **(6) APPEALS OF GEOGRAPHICAL TRANSFER AND ALLOCATION**

Employees who are involuntarily transferred from one geographical area of the state to another may appeal such transfers with the Commission. The Commission did not decide any geographical transfer appeals in Fiscal Year 2003.

The Commission is also responsible for hearing employee appeals from decisions of the Director of the Department of Central Management Services where an employee believes that their position is misclassified. In allocation appeals, the burden is on the employee to prove the Director of Central Management Services has not properly classified their position. In Fiscal Year 2003, the Commission did not decide any allocation appeals.

#### **(7) APPEALS OF LAYOFF**

The Personnel Rules allow the layoff of certified employees due to lack of funds, material change in duties or organization, or lack of work or the abolition of a position for any of these reasons. Employees who feel that they have been laid off in violation of the Personnel Code or Rules may, within 15 days of the effective date of layoff, file a written appeal with the Civil Service Commission.

The Civil Service Commission is authorized to investigate the allegations made by the employee in the layoff appeal and may conduct a hearing if it is determined that issues of fact or law remain unresolved. When the investigation is complete, a preliminary decision is issued by staff and submitted to the employee and agency. If adopted by the Commission, the decision becomes a final administrative decision.

The Commission issued four decisions on layoff appeals in Fiscal Year 2003.

#### **GRIEVANCE COMMITTEE**

The Director of Central Management Services is required to appoint a grievance committee to hear step 4 grievances comprising two employees of Central Management Services and one Commission employee with experience and knowledge in personnel administration and employee relations. The Director is allowed to substitute another agency employee in the absence of a Commission employee. The Commission staff did not participate in any grievance committee meetings in Fiscal Year 2003.

## **TRAINING**

In order to properly administer the State's merit system, agency administrators must have knowledge and expertise in all areas of personnel. Often the most intimidating and frustrating aspect of personnel lies in the area of dealing with problem employees. It is the Commission's belief that while regrettable, discipline up to and including discharge is a necessary component of a good personnel system. The Commission, in an effort to make administrators aware of the requirements of successfully dealing with the disciplinary process, has offered to agencies a course in this area given by one of its staff members. Due to the effects of the early retirement incentive, the course was not offered this fiscal year. In addition, Commission staff is available to employees and agency administrators to respond to a variety of procedural inquiries regarding the operation of the Commission.

## **OTHER DUTIES - CHAIRMAN'S EX OFFICIO POSITION**

The Chairman of the Commission is an ex officio member of the Interagency Committee on Employees with Disabilities. This Committee provides a forum for the diverse issues and concerns of the more than 2,700 persons with disabilities employed by executive agencies of the State of Illinois. This Committee, which operates with no budget and no paid staff, relies on the technical and financial support of its members and their respective agencies.

## **COURT REVIEW**

All final administrative decisions of the Commission are subject to judicial review brought either by the employee or the employing agency. In Fiscal Year 2003 six decisions were appealed to the Circuit Court under the Administrative Review Act.

**TECHNICAL ACTIONS BY THE COMMISSION**

	<u>FY 00</u>	<u>FY 01</u>	<u>FY 02</u>	<u>FY 03</u>
<u>Class Specifications</u>				
New Classes Approved	20	22	5	12
Revised Classes Approved	37	61	83	127
Abolished Classes Approved	39	27	6	13
<b>TOTALS</b>	<b>96</b>	<b>110</b>	<b>94</b>	<b>152</b>
<u>Exemptions</u>				
Exemptions Approved	32	20	28	95
Exemptions Denied	3	5	0	0
Exemptions Rescinded	0	2	1	13
<b>TOTALS</b>	<b><u>34</u></b>	<b><u>27</u></b>	<b><u>29</u></b>	<b><u>108</u></b>
<b>TOTAL TECHNICAL ACTIONS</b>	<b>130</b>	<b>137</b>	<b>123</b>	<b>260</b>

## **CHARGES FOR DISCHARGE AND SUSPENSION**

Abuse .....	3
Conduct Unbecoming .....	6
Failure to Follow Instructions .....	1
Failure to Return from Leave of Absence.....	1
False Reporting .....	3
Falsification of Employment Status .....	1
Inappropriate Conduct.....	3
Insubordination .....	2
Misuse of State Property.....	1
Negligence .....	1
Out of Work Conduct.....	1
Refusal to Work Mandated Overtime .....	1
Reporting for Work in Unfit Condition .....	1
Unauthorized Absence .....	3
Violation of Drug Testing .....	1

\* The total exceeds the number of employees discharged because multiple charges were at times  
proved against some employees.

## DECISIONS OF THE COMMISSION IN APPEALS

A. <u>Actions by the Commission</u>	<u>FY 00</u>	<u>FY 01</u>	<u>FY 02</u>	<u>FY 03</u>
Appeals granted:				
Employees returned after discharge (with suspension)	4	7	4	6
Employees returned after discharge (without suspension)	4	3	2	3
Position allocation granted	17	0	0	0
Layoff appeal granted	0	0	0	0
Geographical transfer invalidated	0	0	0	0
Demotion invalidated	0	0	0	0
Suspension invalidated in part	0	0	1	0
Rule violation appeal granted	0	1	0	0
<u>Total</u>	25	11	7	9
Appeals denied:				
Employees discharged	19	16	10	5
Position allocation change denied	44	1	1	0
Layoff appeal denied	0	0	0	4
Geographical transfer upheld	0	0	0	0
Demotion upheld	3	1	0	0
Suspension upheld	0	2	0	0
Rule violation appeal denied	7	5	2	5
Dismissed by decision	7	2	3	6
<u>Total</u>	80	27	16	20
<b>Total Actions by the Commission</b>	<b>105</b>	<b>38</b>	<b>23</b>	<b>29</b>
B. <u>Appeals Terminated Without Decision</u>				
Discharges	13	17	10	19
Demotions	0	0	0	0
Position allocations	14	0	1	0
Layoff appeals	1	0	0	0
Geographical transfers	0	0	0	1
Suspensions	3	0	0	0
Rule violations	1	0	1	0
<u>Total</u>	32	17	12	20
C. <u>Appeals Pending June 30</u>	35	29	17	68
D. <u>Appeals Rejected - Commission</u>	13	7	3	8
<u>Without Jurisdiction to Accept Appeal</u>				
E. <b><u>Total Appeals Closed or Pending at End of Fiscal Year</u></b>	<b>185</b>	<b>91</b>	<b>55</b>	<b>125</b>